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COUNSEL/PARTIES OF RECORD	
JUL 27 2018	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

Attorneys for Defendants
Isidro Baca, James Greg Cox, E.K. McDaniel,
Brian Sandoval, Ronald Schreckengost, and Lisa Walsh

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EDWARD SEELY,
Plaintiff,

vs.

ISIDRO BACA, RON SCHRECKENGOST,
LISA WALSH, E.K. MCDANIEL, GREG
COX, BRIAN SANDOVAL, ROSS MILLER,
CATHERINE CORTEZ-MASTO,
Defendants.

WILLIAM LYONS,
Plaintiff,

vs.

ISIDRO BACA, JAMES "GREG" COX, E. K.
MCDANIEL, BRIAN SANDOVAL, RONALD
SCHRECKENGOST, and LISA WALSH
Defendants.

ORDER
Case No. 3:15-cv-00118-MMD-VPC
(Consolidated With Case No.
3:15-cv-00126-MMD-WGC)

**MOTION FOR ENLARGEMENT OF TIME
TO FILE JOINT PRETRIAL ORDER**

Defendants, Isidro Baca, James Greg Cox, E.K. McDaniel, Brian Sandoval, Ronald Schreckengost, and Lisa Walsh, by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Benjamin R. Johnson, Deputy Attorney General, hereby moves for an enlargement of time to file the joint Pretrial Order. This Motion is based on the following Memorandum of Points and Authorities and all papers and pleadings on file in this case.

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MEMORANDUM OF POINTS AND AUTHORITIES

I. LAW AND ARGUMENT

On June 26, 2018, the parties held a settlement conference before Magistrate Judge Cooke. The case did not settle at that time. The Court ordered that the Joint Pretrial Order would be due on July 27, 2018. (ECF No. 118). Counsel for Defendants has not received any communication from Plaintiff's counsel regarding the proposed JPTO prior to the deadline.

Defendants need additional time to file to complete the JPTO.

FED. R. CIV. P. 6(b)(1) governs enlargements of time and provides as follows:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

The proper procedure, when additional time for any purpose is needed, is to present a request for extension of time before the time fixed has expired. *Canup v. Mississippi Val. Barge Line Co.*, 31 F.R.D. 282 (W.D.Pa. 1962). Extensions of time may always be asked for, and usually are granted on a showing of good cause if timely made under subdivision (b)(1) of the Rule. *Creedon v. Taubman*, 8 F.R.D. 268 (N.D. Ohio 1947).

Defendants seek an enlargement of time to file a Joint Pretrial Order. Good cause exists to extend the time to file the JPTO. Plaintiffs counsel has not sent any drafts or requested information to complete the JPTO. Additionally, the undersigned is departing the Attorney General's Office as of July 26, 2018. Therefore, additional time is necessary for the new Deputy Attorney General to review the case file and to be ready to assist in completion of the JPTO.

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1 **II. CONCLUSION**

2 Based on the foregoing, Defendants respectfully request their motion for enlargement of time is
3 granted and the deadline for filing the JPTO be extended thirty days, up to and including August 27,
4 2018.

5 DATED this 24th day of July, 2018.

6 ADAM PAUL LAXALT
7 Attorney General

8 By: Benjamin R. Johnson
9 BENJAMIN R. JOHNSON
10 Deputy Attorney General
11 State of Nevada
12 Bureau of Litigation
13 Public Safety Division

14 *Attorneys for Defendants*

15 IT IS SO ORDERED

16 Valerie P. Roche
17 U.S. MAGISTRATE JUDGE

18 DATED July 27, 2018
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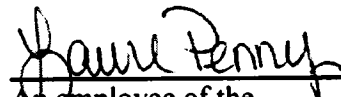
CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 24th day of July, 2018, I caused a copy of the foregoing, **MOTION FOR ENLARGEMENT OF TIME TO FILE JOINT PRETRIAL ORDER**, to be served, by U.S. District Court CM/ECF Electronic Filing and to be deposited for mailing a true and correct copy of the foregoing on the following:

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